

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Priority Mail, USPS Tracking Number, 9505 5124 4264 0205 3974
25, addressed to Hutton, Po Box 482, Mt. Orab, Oh. 45154, with a
return address of Essential Organics, 541 Nighthawk Rd, Brighton Co.
80601.

Case No. 1:20-MJ-00573

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail, USPS Tracking Number, 9505 5124 4264 0205 3974 25 (See Attachment "A")

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.


The search is related to a violation of: Title 21

Code Section	Offense Description
21 U.S.C. 841	Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector Andrew W. Kremer

- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

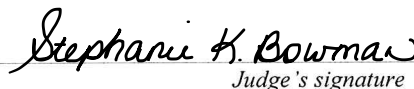
Andrew W. Kremer, United States Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.via Facetime Video.

Date: Jul 29, 2020

City and state: Cincinnati, Ohio


Judge's signature

Stephanie K. Bowman
United States Magistrate Judge
Printed name and title



AFFIDAVIT

I, Andrew W. Kremer, having been duly sworn, depose and state:

1. I am a United States Postal Inspector, having been so employed since May 19, 2012. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the United States Postal Inspection Service (USPIS) with investigative responsibility for southwest Ohio and northern Kentucky. Part of my investigative responsibility involves the use of the United States Mail in the illegal transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.
2. Your Affiant completed United States Postal Inspection Service Basic Training in May 2012. The training involved narcotic investigation techniques, chemical field tests and training in the detection and identification of controlled substances being transported in the United States Mail. In addition to this formal training, your Affiant has worked since May 2012 with various federal, state and local law enforcement agencies in the investigation of the transportation of illegal drugs and their identification.
3. This Affidavit is made in support of a search warrant for the following property, namely a package associated with the following United States Postal Service (USPS) Priority Mail, USPS Tracking Number:

a. 9505 5124 4264 0205 3974 25

as further described in Attachment A. This Affidavit is made in support of a warrant to search the package for evidence of a crime as well as contraband, fruits of a crime or other items illegally possessed in relation to the following offense:

- a. Possession with Intent to Distribute Controlled Substances, in violation of Title 21, United States Code, § 841.

Because this Affidavit is being submitted in support of the application of the United States to search the package, it does not include every fact known concerning this investigation, I have set forth facts and circumstances that I have relied upon to establish probable cause to justify the issuance of a warrant to search the above-described package. The package is currently located at the USPIS Cincinnati Field Office.

4. Your Affiant has become aware that drug traffickers frequently use Priority Mail Express and/or Priority Mail, services offered by the USPS, to transport narcotics and other dangerous controlled substances. As a result of investigations and successful controlled substance prosecutions where Priority Mail Express and/or Priority Mail were used, your Affiant has learned of certain characteristics indicative of other Priority Mail Express and/or Priority Mail items previously identified as containing narcotics or other dangerous controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion - false or non-existent return address,

addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

5. On or about July 16, 2020, your Affiant was contacted by a detective with the Mt. Orab Police Department in regards to PO Box 482, Mt. Orab, OH 45154, that was suspected of receiving illegal narcotics via the U.S. Mail.
6. On or about July 28, 2020, the package was intercepted at the Mt. Orab Post Office, Mt. Orab, Ohio.

The package is further described as:

Priority Mail, USPS Tracking Number: 9505 5124 4264 0205 3974 25

Sender: Essential Organics
541 Nighthawk Rd
Brighton Co. 80601

Addressee: Hutton
Po Box 482
Mt. Orab, Oh. 45154

7. Observation and USPS tracking information of the above listed Priority Mail package, by your Affiant indicated it was mailed from the Brighton Post Office, Brighton, CO 80601.
8. The Consolidated Lead Evaluation and Reporting (CLEAR) database system was researched by your Affiant regarding the listed return address, Essential Organics, 541 Nighthawk Rd, Brighton Co. 80601. CLEAR is a public record data investigative platform available exclusively to law enforcement and other government investigators about people and businesses. The information obtained from the system indicated there is no Essential Organics associated with that address. Furthermore, your Affiant queried the USPS Look Up a Zip Code database regarding the return address. The information obtained from the system indicated that 541 Nighthawk Rd is not an address serviced by USPS.
9. The CLEAR database was researched by your Affiant regarding the addressee, Hutton, Po Box 482, Mt. Orab, Oh. 45154. The information obtained from the system indicated there is no Hutton associated with that address. Furthermore, your Affiant researched the PO Box application for PO Box 482 and there is no Hutton listed on the PO Box Application.
10. On or about July 29, 2020, your Affiant arranged for Deputy Nick Poole, Hamilton

County Sheriff's Office, to utilize a narcotics canine to check the package. Deputy Poole and his canine "Akim" are a currently certified narcotics team. The team is certified by the Ohio Peace Officer Training Commission and the Office of the Attorney General (Ohio). Deputy Poole reports that "Akim" passed all of his examinations and has successfully located hidden drugs in the past, and therefore your Affiant considers "Akim" to be reliable. On the same date, your Affiant met Deputy Poole at the USPIS Office, Cincinnati, Ohio, where the package listed above was placed in a separate room among several other similar packages and presented to narcotic canine, "Akim", who alerted positively to the presence or odor of a controlled substance upon the USPS package described below:

a. Priority Mail, USPS Tracking Number: 9505 5124 4264 0205 3974 25

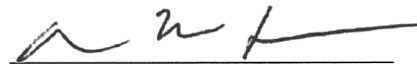
Attached herewith, and incorporated by reference, is a photocopy of the narcotic canine handler's record of examination.

11. Based upon my experience and training, this information, along with the positive alert of narcotic canine "Akim" is indicative of the package containing narcotics or proceeds relating thereof.
12. Based upon the information contained in this Affidavit, your Affiant believes that there is probable cause to believe that the package described below will contain evidence and/or contraband, fruits of crime, or other items illegally possessed:

a. Priority Mail, USPS Tracking Number: 9505 5124 4264 0205 3974 25

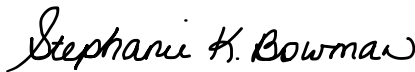
Therefore, a search warrant to open the package is requested.

Further, your Affiant sayeth naught.



Andrew W. Kremer
United States Postal Inspector

Subscribed and sworn to and before me this 29th day of July, 2020 via **Facetime Video**.



Stephanie K. Bowman
United States Magistrate Judge



ATTACHMENT A
PROPERTY TO BE SEARCHED

The property to be searched is the package associated with **Priority Mail, USPS Tracking Number: 9505 5124 4264 0205 3974 25**, addressed to Hutton, Po Box 482, Mt. Orab, Oh. 45154 with a return address of Essential Organics, 541 Nighthawk Rd, Brighton Co. 80601.



United States Postal Inspection Service
Pittsburgh Division

OFFICER AFFIDAVIT

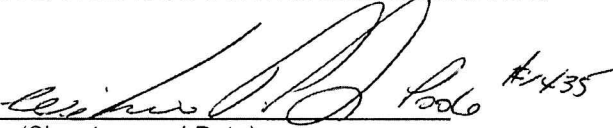
I, DEPUTY N. POOLE, AM, AND HAVE BEEN, EMPLOYED BY THE HAMILTON COUNTY SHERIFF'S OFFICE, SINCE 2004. AMONG OTHER DUTIES, I AM CURRENTLY THE ASSIGNED HANDLER OF NARCOTICS DETECTION CANINE "AKIM", WHICH IS TRAINED AND CERTIFIED IN THE DETECTION OF THE PRESENCE OR ODOR OF NARCOTICS DESCRIBED AS FOLLOWS:

Marijuana, Hashish, Cocaine, Heroin, Methamphetamines, Ecstasy

ON 7/29/2020, AT THE REQUEST OF POSTAL INSPECTOR A. KREMER I RESPONDED TO THE US POSTAL INSPECTION SERVICE CINCINNATI FIELD OFFICE WHERE "AKIM" DID ALERT TO AND INDICATE UPON THE FOLLOWING DESCRIBED ITEM:

USPS Priority Mail, USPS Tracking Number: 9505 5124 4264 0205 3974 25, addressed to Hutton, Po Box 482, Mt. Orab, Oh. 45154, with a return address of Essential Organics, 541 Nighthawk Rd, Brighton Co. 80601.

BASED ON MY TRAINING AND EXPERIENCE AND THAT OF "AKIM", I CONSIDER THE ABOVE DESCRIBED ITEM TO CONTAIN WITHIN OR UPON THE PRESENCE OR ODOR OF A NARCOTIC OR OTHER DANGEROUS CONTROLLED SUBSTANCE.


(Signature and Date)